

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>018158-018610US</b>				
<p>I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent and Trademark Office on <u>October 16, 2006</u>.</p> <p>TOWNSEND and TOWNSEND and CREW LLP</p> <p>By: <u>/Nina L. McNeill/</u> Nina L. McNeill</p>		<p>In re Application of <b>LAWRENCE W. STARK et al.</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Application Number <b>10/006,992</b></td> <td style="width: 50%;">Filed <b>December 6, 2001</b></td> </tr> </table> <p>For <b>DIRECT WAVEFRONT-BASED CORNEAL ABLATION TREATMENT PROGRAM</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Art Unit <b>3739</b></td> <td style="width: 50%;">Examiner <b>Shay, David M.</b></td> </tr> </table>	Application Number <b>10/006,992</b>	Filed <b>December 6, 2001</b>	Art Unit <b>3739</b>	Examiner <b>Shay, David M.</b>
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Art Unit <b>3739</b>	Examiner <b>Shay, David M.</b>					
<p>Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <u>\$ -0-</u></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ _____</u></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>						
<p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor. <u>/Nathan S. Cassell/</u> Signature Nathan S. Cassell Typed or printed name</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>42,396</u>. <u>303-571-4000</u> Telephone number</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>October 16, 2006</u> Date</p>						
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>						

\*Total of \_\_\_\_\_ forms are submitted.

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